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Limited Appearance; admitted *pro hac vice*

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

W. CLARK APOSHIAN,)	
)	PLAINTIFF’S APPENDIX OF
)	EVIDENCE – INDEX
Plaintiff,)	
)	
v.)	Case No. 2-19-cv-00037-JNP-CMR
)	
MERRICK GARLAND, Attorney General)	District Judge Jill N. Parrish
of the United States, <i>et al.</i> ,)	Magistrate Judge Cecilia M. Romero
)	
Defendants.)	
)	

The sole document included within this Appendix of Evidence is the Declaration of Plaintiff W. Clark Aposhian. This suit seeks review of a final rule issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives. Defendants filed the Administrative Record with the Court on November 30, 2022. Accordingly, per DUCivR 56-1(e), this Appendix of Evidence does not include the Administrative Record.

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3. I continued to possess the Slide Fire device on December 26, 2018, the date on which

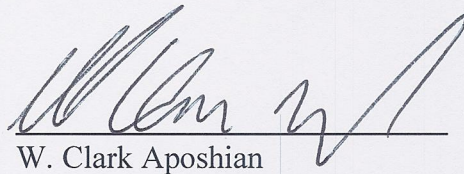
ATF issued a final rule (the “Rule”) reversing its prior position and declaring that non-mechanical bump stocks are “machinegun[s]” as defined by federal law, 26 U.S.C. § 5845(b).

4. The Rule required those possessing bump stocks “to destroy them or abandon them at an ATF office” by March 26, 2019, or else they would be subject to criminal prosecution.

5. I am a law-abiding Utah resident and have no disqualifications that prevent me from lawfully owning or operating a firearm and related accessories.

6. I filed this lawsuit in U.S. District Court for the District of Utah in January 2019, along with a motion seeking a preliminary injunction against enforcement of the Rule.

7. After the Court denied the preliminary injunction motion, I surrendered my Slide Fire device to ATF, with the understanding that ATF would preserve the device and would return it to me in the event that I ultimately prevailed in this lawsuit.


W. Clark Aposhian

Dated: 12/30/2022